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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,330	03/29/2004	James L. Tracy	CM02046K	2712

7590 01/29/2007
Scott M. Garrett
Motorola, Inc.
Law Department
8000 West Sunrise Boulevard
Fort Lauderdale, FL 33322

EXAMINER

LU, ZHIYU

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/812,330	Applicant(s) TRACY ET AL.	
	Examiner Zhiyu Lu	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule.17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 are rejected under 35 U.S.C. 102(b) as being anticipated by Lenchik et al. (US Patent#6658272).

Regarding claim 1, Lenchik et al. anticipate a multi-configuration portable electronic device, comprising:

- a first body element having electrical circuitry disposed therein (104 of Fig. 2);
- a second body element having electrical circuitry disposed therein (106 of Fig. 2);
- a hinge (112 of Fig. 2) for allowing configuration by movement of the first and second body elements relative to each other into at least portrait, landscape, and closed positions (Figs. 3-4, 7-8), the hinge comprised of a pair of identical asymmetric hinge body halves that interlock and for routing a flexible circuit board between the first and second body elements through an

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elbow portion of the hinge wherein upon movement of the first and second body elements the hinge prevents twisting of the flexible circuit board (Fig. 10).

Regarding claim 2, Lenchik et al. anticipate the limitation of claim 1.

Lenchik et al. also anticipate further comprising a detent mechanism in the hinge for holding the first and second body elements in at least portrait, landscape, and closed positions (column 4 lines 1-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lenchik et al. (US Patent#6658272) in view of Doraiswamy et al. (US Patent#6766180).

Regarding claim 3, Lenchik et al. teach the limitation of claim 2.

Lenchik et al. also teach using spring in the hinge mechanism (column 2 lines 27-49).

But, Lenchik et al. do not expressly teach the details wherein the detent mechanism comprises a spring, a cam, and a cap having cam followers, all coaxially located, and wherein the cam is held in position with respect to one of the body elements of the multi-configuration portable electronic device, and the cap is held in position with respect to the hinge.

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Doraiswamy et al. teach a hinge mechanism wherein the detent mechanism comprises a spring, a cam, and a cap having cam followers, all coaxially located, and wherein the cam is held in position with respect to one of the body elements of the multi-configuration portable electronic device, and the cap is held in position with respect to the hinge (Fig. 3, column 2 lines 20-62). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the hinge mechanism of Doraiswamy into the multi-configuration portable electronic device of Lenchik et al., in order to enable the bodies of the device can lock in positions with respect to hinge movements.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lenchik et al. (US Patent#6658272) in view of Konishi et al. (US2002/0036591).

Regarding claim 4, Lenchik et al. anticipate the limitation of claim 1.

But, Lenchik et al. do not expressly disclose further comprising a hook member disposed each of the first and second body elements and each in correspondence with a collar portion of the other body element, wherein the hook member retains the collar portion upon rotation of one of the body elements about the hinge.

Konishi et al. teach a portable electronic device using a hook and collar mechanism used to retain two body elements (16 and 68 of Fig. 1, paragraph 0033).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify and incorporate a hook member, as taught by Konishi et al., disposed on each of the first and second body elements and each in correspondence with a collar portion of

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the other body element, into the multi-configuration portable electronic device of Lenchik et al., in order to securely lock the two body elements in closed position.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zhiyu Lu whose telephone number is (571) 272-2837. The examiner can normally be reached on Weekdays: 9AM-5PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vuong Quochien can be reached on (571) 272-7902. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Zhiyu Lu 
January 8, 2007


NAY MAUNG
SUPERVISORY PATENT EXAMINER